

*Arizona Supreme Court
Judicial Ethics Advisory Committee*

ADVISORY OPINION 93-01
(February 12, 1993)

**Participation in Religious
Organizations or Services**

Issue

May a judge serve in a position of authority in a religious organization or play a prominent role in a religious ceremony or service?

Answer: Yes.

Discussion

The Code of Judicial Conduct does not directly address the issue presented. The sole limitation placed on a judge's activities in the area of religion is a prohibition against soliciting funds for religious organizations. Serving in a position of authority, e.g., an officer of a church or congregation, or playing a prominent role in a religious ceremony or service, e.g., as a cantor, lector, speaker or lay official, is not proscribed by Canon 2A. The canon requires a judge to conduct himself in a manner to "promote public confidence" in the judiciary. Performing the services described is not in conflict with the canon.

The State of Maryland in Opinion 89 (November 25, 1980) stated that a judge could serve as a vestryman of his church since such service would not interfere with his judicial duties. In Joint Opinion 89-83/89-84 (September 12, 1989) the State of New York stated that a judge could serve as an usher during a religious service.

Applicable Code Sections

Arizona Code of Judicial Conduct, Canon 2A (1985).

Other References

Maryland Judicial Ethics Committee, Opinion 89 (Nov. 25, 1980).

New York Advisory Committee on Judicial Ethics, Opinion 89-83 and 89-84 (Sep. 12, 1989).